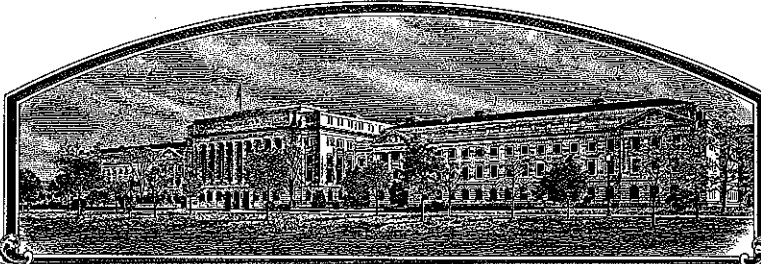


No.

200300300



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Lebanon Seaboard Corporation & Rutgers,  
The State University of New Jersey

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BENTGRASS, CREEPING

'Independence'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-sixth day of July, in the year two thousand and five.

Attest:

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

Secretary of Agriculture

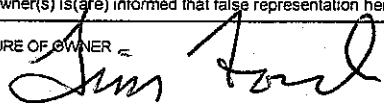


U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER <b>Lebanon Seaboard Corporation and Rutgers, The State University of New Jersey</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>LTP-CBG-1 and LTP-DAS</b>		3. VARIETY NAME <b>Independence</b>	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code) <b>5035807333</b>		FOR OFFICIAL USE ONLY	
		6. FAX (include area code) <b>8017454610</b>		PVPO NUMBER <b>200300300</b>	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation and Ag.Exp.Str. PA</b>		8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>PA</b>		FILING DATE <b>AUGUST 5, 2003</b>	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) <b>Tim Ford, Research Agronomist P.O. 10 Huntsville, UT 84317-0010</b>		9. DATE OF INCORPORATION <b>May 13, 1949</b>		FILING AND EXAMINATION FEES: \$ <b>3,652.00</b> DATE <b>08/05/2003</b> CERTIFICATION FEE: \$ <b>432.00</b> DATE <b>08/02/2005</b>	
11. TELEPHONE (include area code) <b>5035807333</b>		12. FAX (include area code) <b>8017454610</b>		14. CROP KIND (Common Name) <b>Creeping Bentgrass</b>	
15. GENUS AND SPECIES NAME OF CROP <b>Agrostis Palustris Huds.</b>		13. E-MAIL <b>tford@lebsea.com</b>		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
16. FAMILY NAME (Botanical) <b>POACEAE</b>		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)			
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED			
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)			
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		24. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) <b>Tim Ford</b>		NAME (Please print or type)			
CAPACITY OR TITLE <b>Research Agronomist</b>		DATE <b>August 19, 2003</b>		CAPACITY OR TITLE	
				DATE	

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

# ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
  - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

**21. CONTINUED FROM FRONT** (Please provide a statement as to the limitation and sequence of generations that may be certified.)

**22. CONTINUED FROM FRONT** (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Seed was sold and dispersed for testing September 15, 2002 in U.S. and Europe. Oregon Experimental Certified Seed was harvested in 2002, shipped and Sold Sept. 15.

**23. CONTINUED FROM FRONT** (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

REPRODUCE LOCALLY. Include form number and date on all reproductions.

FORM APPROVED - OMB NO. 0581-00

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)  Lebanon Seaboard Corporation & Rutgers University		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  LTP-CBG-1 & DAS	3. VARIETY NAME  Independence
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  P.O. Box 10 Huntsville, Utah 84317-0010		5. TELEPHONE (include area code)  503-580-7333	<b>FOR OFFICIAL USE ONLY</b> PVPO NUMBER <b>2003 00300</b> DATE August 5, 2003
		6. FAX (include area code)  801-745-4610	
7. GENUS AND SPECIES NAME  <u>Agrostis palustris</u> Huds.	8. FAMILY NAME (Botanical)  POACEAE (TRIBE=AGROSTIDEAE)		FILING AND EXAMINATION FEE: \$ 3652.00 DATE August 5, 2003 CERTIFICATION FEE: \$ DATE
9. CROP KIND NAME (Common name)  Creeping Bentgrass			
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name) Corporation			
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Pennsylvania			
		12. DATE OF INCORPORATION 1949	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Tim Ford, Research Agronomist P.O.Box 10 Huntsville, Utah 84317-0010			14. TELEPHONE (include area code) 503-580-7333
			15. FAX (include area code) 801-745-4610

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety  
b. ☒ Exhibit B. Statement of Distinctness  
c. ☒ Exhibit C. Objective Description of the Variety  
d. ☒ Exhibit D. Additional Description of the Variety (Optional)  
e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership  
f. ☒ Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)  
g. ☒ Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)  
☐ YES If "yes," answer items 18 and 19 below ☒ NO If "no," go to item 20

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?  
☐ YES ☒ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?  
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES?  
☒ YES If "yes," give names of countries and dates ☐ NO

September 15, 2002

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))



NAME (Please print or type)

Tim Ford

CAPACITY OR TITLE

Research Agronomist

DATE

July 29, 2003

SIGNATURE OF APPLICANT (Owner(s))

NAME (Please print or type)

CAPACITY OR TITLE

DATE

### Amended Origin and Breeding History of Independence (DAS) Creeping Bentgrass

Independence (DAS) creeping bentgrass (*Agrostis palustris* Huds.) is a medium-fine-leaved, medium-dark green creeping bentgrass selected from the maternal progenies of 14 clones. Independence was selected for intermediate density, medium maturity and intermediate growth habit which is defined as in between a very low growing putting green type and a more aggressive, lateral spreading fairway type growth habit.

The parental germplasm of Independence creeping bentgrass traces its origin to plants selected from old golf courses in the Northeastern United States in a germplasm collection program initiated in 1996. Both putting green and fairway genotypes were collected from old golf courses established at least eighty years prior to collection during the growing season of 1996. Attractive clones were selected from Harker's Hollow Golf Course in NJ, Old Westbury Country Club in Long Island NY, Suburban Golf Course in NJ, Canoe Brook Country Club in NJ, Shakamaxon Country Club in NJ, Piping Rock Golf Course in NY and Lake Success Golf Course in NY. The creeping bentgrass plants selected from old golf courses were of unknown origin, however it is likely that they originated from South German mixed bentgrass seed sources because this was one of the only sources for bentgrass seed in the early 1900's. South German mixed bentgrass seed consisted of approximately 50-85% colonial bentgrass (*Agrostis capillaris* L.), 15-30% velvet bentgrass (*Agrostis canina* L.) and less than 10% creeping bentgrass (1). All creeping bentgrass genotypes were large weed-free patches of turf surviving in stressful environments indicating that they had persisted and developed over a period of many years. Approximately 7% of the parental germplasm traces to plants selected from or related to L93 creeping bentgrass (1).

4

A spaced-plant nursery was established in the fall of 1996. The plants in the nursery consisted of 180 fairway collections and 120 putting green collections. The fairway collections consisted of: twenty-four from Suburban Golf Course, twelve from Harker's Hollow golf course, thirty-six from Canoe Brook, forty-eight from Echo Lake country club and less than ten each from Upper Montclair CC, National Golf Links GC, Lake Success GC, Old Westbury CC, Rumson CC and Baltostrol CC. The putting green collections consisted of twelve collections from Baltostrol CC, nine from Harker's Hollow GC, and approximately six each from Rumson CC, Shakamaxon CC, Old Westbury CC, Suburban GC, Lake Success GC, National Golf Links GC, Echo Lake CC and Shinecock CC.

In the spring of 1997, plants were selected from this nursery based on medium-maturity, freedom from disease, bright dark green color, medium shoot density, prostrate aggressive growth habit and seed yield potential. These plants were moved to a few isolated crossing blocks at Adelphia which were designated GPC and LPC.

Progeny from these crossing blocks were seeded in turf evaluation trials at the plant science research station at North Brunswick, NJ in 1997, and 1998. These plots were evaluated for disease resistance such as dollar spot (*Sclerotinia homoeocarpa* F.T. Bennet) and brown patch (*Rhizoctonia solani* Kuhn.) and tolerance of putting green mowing height. The best performing turf plots from these two trials were identified. Twelve plots were selected from the 1997 putting green trial from approximately 100 plots and 4 were selected from the 1998 putting green trial from approximately 150 plots.

The parental clones from those turf plots were used to establish a clonal spaced-plant nursery in the fall of 1999, consisting of 240 plants. Thirty-one clones from this

nursery were moved to an isolated polycross crossing block in the spring of 2000 at Adelphia, NJ from 18 different maternal clones. Plants were selected for medium maturity, freedom from diseases, bright dark green color, medium shoot density, and prostrate growth habit. Fourteen plants were harvested with good floret fertility and high seed yield from 11 different mother lines. This germplasm was not used in the development of any other variety. Breeder seed from this crossing block was planted in an Experimental Foundation field near Albany, Oregon in the fall of 2000. The first Foundation seed was harvested in the fall of 2001, with the first certified seed being harvested in the fall of 2002.

Independence has remained stable and uniform in both turf plots and as mature plants from Breeder seed, Foundation Seed and Certified seed. Additionally, the Oregon Seed Certification Service has allowed Certified to Certified plantings and they have remained uniform and stable. Thus Independence has remained stable and uniform through four generations. Seed from the third generation from Breeder seed (a certified production field) was used to enter Independence into the 2003 NTEP test. Through four years and four generations the turf performance has remained stable and uniform.

It has been my observation as the breeder and field production manager that Independence is a very stable and uniform variety with no aberrant plants, no variants, and no off-types observed in either turf, nurseries, or seed production fields. No variants have been observed.

#### REFERENCES

1. Hillman, F.H. 1921. South German mixed bent seed described. Bulletin of the Green Section of the USGA. Vol. 1(3):37-39.

### **Diagram of Origin and Breeding History of Independence Creeping Bentgrass**

1. 1996 to 1998

Germplasm collection, evaluation, and genetic improvement.

2. 1997 and 1998

Planted single-plant progenies of plants selected from current cycles of population improvement programs in closely mowed turf trials at North Brunswick, NJ.

3. 1999

Selected 240 plants from the best performing single-plant progeny turf plots planted in 1997 and 1998. Established selected plants in a spaced-plant nursery at Adelphia, NJ.

4. 2000

Moved 31 plants to an isolated crossing block. Harvested from 14 plants with excellent appearance and floret fertility.

Each plant of Independence (DAS) tall fescue traces at least seven percent of its ancestral germplasm to plants selected from or related to L93 creeping bentgrass. The other 93 percent of its ancestral germplasm traces to plants selected from old golf course turfs of the Northeastern United States in a germplasm collection program initiated in 1996 and has undergone at least 3 cycles of phenotypic and genotypic recurrent selection for improved turf characteristics.



# BREEDING HISTORY OF INDEPENDENCE CREEPING BENTGRASS

ENTRY	ENTRY ID	PLANT # AT ANTHESIS	PLANTS HARVESTED
1	H97G-81, GPC-26, 9290, C-2 - HARKERS HOLLOW GOLF COURSE, NJ	1	0
2	H97G-48, LPC-5, 9215, PG-C-2 - OLD WESTBURY COUNTRY CLUB, NY	1	0
3	H97G-49, LPC-6, 9209, C-3 - SUBURBAN COLF COURSE, NJ	2	1
4	H97G-50, LPC-7, 9297, C-1 - CANOE BROOK COUNTRY CLUB, NJ	2	0
5	H97G-51, LPC-8, 9206, C-5 - SHAKAMAXON COUNTRY CLUB, NJ	2	1
6	H97G-53, LPC-10, 9297, C-4 - CANOE BROOK COUNTRY CLUB, NJ	3	2
7	H97G-57, LPC-15, 9288, C-2 - SHAKAMAXON COUNTRY CLUB, NY	1	0
8	H97G-59, LPC-17, 9299, C-2 - OLD WESTBURY COUNTRY CLUB, NY	2	2
9	H97G-61, LPC-2 - HARKERS HOLLOW GOLF COURSE, NJ	3	1
10	H97G-71, GPC-6, 9209 C-4 - SUBURBAN GOLF COURSE, NJ	2	0
11	H97G-73, GPC-9, 9205, C-4 - SHAKAMAXON COUNTRY CLUB, NJ	2	1
12	H97G-75, GPC-13, 9291, C-1 - HARKERS HOLLOW GOLF COURSE, NJ	1	0
13	H98G-292 - HARKERS HOLLOW GOLF COURSE, NJ	1	0
14	H98G-296 - HARKERS HOLLOW GOLF COURSE, NJ	2	2
15	H98G-299 - SHAKAMAXON COUNTRY CLUB, NJ	2	1
16	H98G-302 - LAKE SUCCESS COUNTRY CLUB, NY	2	1
17	MCB-8, 7409, C-1 - PIPING ROCK GOLF COURSE, NY	2	1
18	MCB-12 - PLANT SELECTED FROM L-93	1	1
	TOTAL	31	14

200300300

## STATEMENT OF DISTINCTNESS

Independence creeping bentgrass is most similar to L-93 creeping bentgrass. Both varieties are similar in turf plots and as mature plants. Both varieties were developed using germplasm from Rutgers University and the New Jersey Agricultural Experiment Station.

Independence has a significantly later heading date than L-93, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data). Independence is significantly shorter than L-93 as measured by unstraightened plant height, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data). Independence has a significantly shorter subtending leaf length than L-93, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data). Independence also has a significantly shorter subtending leaf ligule length than L-93, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data). Independence also has a significantly shorter flag leaf ligule length than L-93, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data). Independence also has a significantly shorter flag leaf length than L-93, both in 2002 and 2003 in a trial near Hubbard, Oregon (see the following data).

2003 mean morphological measurements for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

Entry	Plant Height (cm)	Unstraightened		Panicle		Internode		Subtending		Subtending		Flag		Flag		Whorls/ Panicle (#)
		Plant Height (cm)	Tip to Bottom Branch (cm)	Panicle Length (cm)	Internode Length (cm)	Subtending Leaf Length (cm)	Subtending Leaf Ligule Length (mm)	Flag Leaf Length (mm)	Flag Leaf Length (cm)	Flag Leaf Length (mm)	Flag Leaf Length (cm)	Flag Leaf Length (mm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Flag Leaf Width (mm)	
Independence	59.8	41.5	8.2	26.8	9.4	5.6	1.9	1.8	3.8	1.8	3.8	1.8	3.8	1.8	1.8	7.4
PennLinks	58.2	55.4	8.5	24.4	10.4	8.1	2.6	2.6	6.0	2.1	6.0	2.1	6.0	2.1	2.1	7.1
L-93	56.6	51.7	8.2	23.7	8.4	6.8	2.3	2.1	4.6	1.9	4.6	1.9	4.6	1.9	1.9	7.9
LSD (0.05)	7.4	3.1	0.6	2.4	0.8	0.6	0.3	0.3	0.5	0.2	0.5	0.2	0.5	0.2	0.2	0.5

2002 mean morphological measurements for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

Entry	Plant Height (cm)	Unstraightened Plant Height (cm)	Paniculum Tip to Bottom Branch (cm)	Internode Length (cm)	Subtending Leaf Length (cm)	Subtending Leaf Ligule Length (mm)	Flag Leaf Ligule Length (mm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Whorls/Panicle (#)
L-93	63.7	53.3	10.4	9.3	29.7	2.9	2.7	5.4	4.0	7.5
PennLinks	61.3	48.0	10.5	9.7	26.0	3.0	2.8	5.6	3.9	7.0
Independence (LTP-CBG-1)	53.3	40.5	9.1	6.7	23.0	2.3	2.3	4.2	4.2	7.2
LSD (0.05)	2.8	2.3	0.7	0.7	2.2	0.3	0.3	0.5	0.3	0.4

**ADDENDUM TO EXHIBIT B STATEMENT OF DISTINCTNESS FOR PVP  
APPLICATION FOR INDEPENDENCE CREEPING BENTGRASS**

**INDEPENDENCE VS PENNCROSS**

The average plant height for Penncross over a four-year period is 38.35cm. The two-year average plant height for Independence is 56.55cm, with an LSD (0.05) averaged over two years of 5.1cm. Independence is over 18 cm or 47 % taller.

Penncross has a darker green color and a finer leaf texture (dark green vs. green and fine vs. medium fine) and a heavier seed weight (.088 vs. .0769 grams).

**INDEPENDENCE VS PRINCEVILLE**

The average plant height for Princeville over a one-year period is 29.9 cm. The two-year average plant height for Independence is 56.55cm (range 53.3-59.8), with an LSD (0.05) averaged over two years of 5.1cm. Independence is over 26 cm or 89 % taller.

**INDEPENDENCE VS PROCUP**

The average flag leaf length for ProCup is 9.0 cm. The average flag leaf length for Independence is 4.0 cm, with an LSD (0.05) of 0.5 cm. ProCup's flag leaf is 5 cm or 125% longer than Independence.

ProCup is listed as having Dark Green and Very Dark Green color, while Independence has a green color.

The data also lists the plant height as taller than PennLinks for ProCup and shorter than PennLinks for Independence.

**INDEPENDENCE VS PROMINENT**

The data lists Prominent as being shorter than Penncross, while as discussed above Independence is much taller than Penncross. It also lists a decumbent growth form, while Independence is erect. It lists a light green color and fine leaf texture for Prominent vs. a green color and medium fine leaf texture for Independence.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY PROGRAM  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705**

**EXHIBIT C  
(BENTGRASS)**

**OBJECTIVE DESCRIPTION OF VARIETY  
BENTGRASS  
(*Agrostis* spp.)**

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Lebanon Seaboard Corporation & Rutgers Univ.	DAS #	Independence
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)		FOR OFFICIAL USE ONLY
P.O. Box 10		PVPO NUMBER
Huntsville, UT 84317-0010		2003 00300

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089). Descriptions of characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACED PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append all pertinent comparative trial and evaluation data. The symbol " " indicates decimal.

**COMPARISON VARIETIES FOR USE BELOW**

1 = Astoria	2 = Exeter	3 = Highland	9 = L-93
5 = Penncross	6 = Kingstown	7 = Astra	4 = Seaside
			8 = Other (Please Specify): <u>PennLinks</u>

**1. SPECIES**

<input checked="" type="checkbox"/> 1 = Colonial (browntop) <i>A. tenuis</i>	<input type="checkbox"/> 2 = Creeping <i>A. stolonifera</i> ( <i>A. palustris</i> )
<input type="checkbox"/> 3 = Velvet <i>A. canina</i> ssp. <i>canina</i>	<input type="checkbox"/> 4 = Brown Bent <i>A. canina</i> ssp. <i>montana</i>
<input type="checkbox"/> 5 = Red Top <i>A. gigantea</i>	

**2. ADAPTATION (0 = Not Tested, 1 = Not Adapted, 2 = Adapted)**

<input checked="" type="checkbox"/> Northeast	<input checked="" type="checkbox"/> Southeast	<input checked="" type="checkbox"/> North Central	<input checked="" type="checkbox"/> Pacific N. W.
<input checked="" type="checkbox"/> Other (Please Specify): <u>United Kingdom, France and The Netherlands</u>			

**3. MATURITY (At first anthesis): Use comparison varieties**

<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Days earlier than .....	<input checked="" type="checkbox"/> COMPARISON VARIETY
Maturity the same as .....	<input checked="" type="checkbox"/> COMPARISON VARIETY
<input type="checkbox"/> <input type="checkbox"/> Days later than .....	<input type="checkbox"/> COMPARISON VARIETY

**4. HEIGHT (Average of longest 10 shoots from soil surface to top of head)**

<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> cm Height (at maturity)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> cm Shorter than .....	<input checked="" type="checkbox"/> COMPARISON VARIETY
	Height the same as .....	<input type="checkbox"/> COMPARISON VARIETY
	<input type="checkbox"/> <input type="checkbox"/> cm Taller than .....	<input type="checkbox"/> COMPARISON VARIETY

erect or ascending from a spreading decumbent base.

Prostrate			Decumbent			Geniculate			Erect		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
% Prostrate			% Decumbent			% Geniculate			% Erect		

## 6. VEGETATIVE REPRODUCTION

**Rhizomes:** ☒ 1      1 = Absent      ☐ 2 = Present

Stolons: ☐ 1 = Absent ☒ 2 = Present

			% Rhizomes				% Stolons
--	--	--	------------	--	--	--	-----------

## 7. LEAF BLADE

Color: 3

1 = Yellowish Green (Cohansey)	2 = Light Green (Washington)
3 = Green (Exeter)	4 = Dark Green (Kingstown, Tracenta)
5 = Bluish Green (Highland)	6 = Other (Please Specify): _____

Texture: (fineness) 3

1 = Very Fine (Kingstown)	2 = Fine (Exeter)
3 = Medium Fine (Astoria)	4 = Medium (Seaside)
5 = Medium Coarse (Virginia)	6 = Coarse (Vermont)

☐ ☐ ☐ ☒ Stomatal density of upper leaf surface

Lower Surface:  % Smooth  % Rough

Upper Surface:    % Smooth    % Rough

Margins:    % Smooth    % Rough

☒ ☒ mm Width (Average of 10)      ☐ ☐ mm Narrower than .....      ☐ COMPARISON VARIETY

Comparison on Flag leaf      Width same as ..... ☐ COMPARISON VARIETY

0.5  
3 mm Wider than ..... 8 COMPARISON VARIETY

mm Width (Flag Leaves)       cm Length (Flag Leaves)

## 8. LEAF SHEATH

Anthocyanin:  1 = Absent  
2 = Present  % Red Sheaths

9. **LIGULE** (lower and middle leaves)

acute to oblong, might be considered rounded.

Shape at Apex: 

--	--	--

 % Acute      

1	0	0
---	---	---

 % Rounded      

--	--	--

 % Truncate

			% Other (Please Specify): _____
--	--	--	---------------------------------

Pubescence: 

1	0	0
---	---	---


 % Glabrous 

--	--	--

 % Pubescent

Margins:  % Entire  % Toothed

% Other (Please Specify):

 mm Length

## 10. LEMMA

Shape: ☒ ☐ ☐ % Lanceolate      ☐ ☐ ☐ % Ovate  
☐ ☐ ☐ % Obovate      ☐ ☐ ☐ % Elliptic

14

## 10. LEMMA (Continued)

☐☐☐ % Oblong☐☐☐ % Other (Please Specify):

200300300

☐☐☒4 mm Width☐☐☒4 mm Length (Exclusive of awn)

Color:

☐☐☐100 % Buff☐☐☐ % Silvery☐☐☐

% Other (Please Specify):

Surface:

☐☐☐100 % Glossy☐☐☐ % Dull

Texture:

☐☐☐100 % Smooth☐☐☐ % Punctate

Pubescence:

☐☐☐100 % Glabrous☐☐☐ % Sparse☐☐☐

% Copious

Basal Hairs:

☐☐☐100 % Absent☐☐☐ % Few☐☐☐

% Many

☐☐☐

% Short

☐☐☐

% Long

☐☐☐

% Appressed

☐☐☐

% Ascending

☐☐☐

% Spreading

Awns:

☐☐☐100 % Absent☐☐☐ % Few☐☐☐

% Many

☐☐☐

% Awn-pointed

☐☐☐

% Short

☐☐☐

% Long

☐☐☐

% Straight

☐☐☐

% Geniculate

Awn Insertion  
on Lemma:☐☐☐

% Basal

☐☐☐

% Middle

☐☐☐

% Distal

## 11. PANICLE

Type  
(in anthesis):☐☐☐50 % Open☐☐☐50 % Compact

Anthocyanin:

☐☐☐25 % Absent☐☐☐75 % Present

General observations in seed prod

Branches in  
Anthesis:☐☐☐ % Appressed☐☐☐100 % Ascending☐☐☐

% Spreading

Branches in  
Fruit:☐☐☐ % Appressed☐☐☐100 % Ascending to slightly spreading & Clustered.☐☐☐

% Spreading

Branch Surface:

☐☐☐100 % Smooth☐☐☐ % Scabrous

## 12. SEED

☐☐☐07

Grams per 1000 seed .0769grams per 1,000 seeds

## 13. SPRING GREEN UP

☐☐☐2

1 = Early (Exeter)

2 = Medium (Astoria)

3 = Late (Kingstown)



## 14. ENVIRONMENTAL RESISTANCE

(0 = Not Tested, 1 = Susceptible, 2 = Resistant)

SCALE 1-4; 4 = RESISTANT RAD 12/24/04

200300300

3 ☒ Cold 3 ☒ Heat ☒ Drought ☐ Shade ☐ Other (Please Specify): \_\_\_\_\_

## 15. DISEASE RESISTANCE

(0 = Not Tested, 1 = Susceptible, 2 = Resistant)

SCALE 1-4; 4 = RESISTANT

12/24/04

- ☐ Red Leaf Spot (*Drechslera erythrospila*) 3 ☒ Helminthosporium Leaf Spot (*Bipolaris sorokiniana*)
- 4 ☒ Melting Out (*Drechslera poae* (*Helminthosporium vagans*)) ☐ Dollar Spot (*Sclerotinia homoeocarpa*)
- ☐ Pythium Blight (*P. aphanidermatum*) ☐ Pythium Blight (*P. ultimum*)
- ☐ Fusarium Blight (*F. roseum*) ☐ Fusarium Blight (*F. tricinctum*)
- ☐ Fusarium Patch (Pink Snow Mold) (*F. nivale*) ☐ Powdery Mildew (*Erysiphe graminis*)
- ☐ Ophiobolus Patch (*O. graminis*) ☐ Stripe Smut (*Ustilago striiformis*)
- 3 ☒ Copper Spot (*Gloeocercospora sorghi*) ☐ Typhula Blight (Snow Scald) (*T. incarnata*)
- ☐ Red Thread (*Corticium fuciforme*) ☐ Brown Patch (*Rhizoctonia solani*)
- 3 ☒ Stem Rust (*Puccinia graminis*) ☐ Crown Rust (*P. coronata*)
- 3 ☒ Leaf Rust (*P. poae-nemoralis*) ☐ Other (Please Specify): \_\_\_\_\_

## 16. INSECT RESISTANCE

(0 = Not Tested, 1 = Susceptible, 2 = Resistant)

- ☐ European Chafer (*Amphimallon solstitialis*) ☐ Garden Chafer (*Phyllopertha horticola*)
- ☐ Chinch Bug (*Blissus insularis*) ☐ Webworm (*Crambus* spp.)
- ☐ Armyworm (Cutworm) (*Pseudaletia unipuncta*) ☐ Other (Please Specify): \_\_\_\_\_

17. GIVE VARIETY(S) THAT MOST CLOSELY RESEMBLE THE SUBMITTED VARIETY: For the following characteristics indicate the degree of resemblance (D.R.) with one of the following numbers: 1 = submitted variety is less than, lighter, or inferior to similar variety, 2 = Same as, 3 = More than, darker or superior, etc.

Character	Similar Variety	D.R.	Character	Similar Variety	D.R.
Growth Habit	L-93	2	Leaf Color	L-93	2
Awn Length	L-93	2	Panicle Type		
Seed Weight	L-93	2	Turf Fineness	L-93	2
Cold Resistance	L-93	2	Heat Resistance	L-93	2
Drought Resistance	L-93	2	Shade Resistance		
Brown Patch	N/A				

## 18. COMMENTS

2003 00300

Mean initial heading dates for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

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Entry	2002	2003
Independence	08 June	10 June
PennLinks	07 June	07 June
L-93	04 June	04 June
LSD (0.05)	4 days	4 days

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICEEXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Lebanon Seaboard Corporation & Rutgers, The State University of New Jersey		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER LTP-CBG-1 & DAS	3. VARIETY NAME Independence
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) P.O. Box 10 Huntsville, UT 84317		5. TELEPHONE (include area code) 5035807333	6. FAX (include area code) 8017454610
		7. PVPO NUMBER 2003 00300	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country			
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
10. Is the applicant the original owner? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If no, please answer the following:			
a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?			
<input type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company?			
<input type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
11. Additional explanation on ownership (If needed, use reverse for extra space):			

## PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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